

Montana Water Court
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IN THE WATER COURT OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
SUN RIVER BASIN (41K)

* * * * *

CLAIMANT: LF Ranch MT LLC

OBJECTOR: Montana State Board of Land Commissioners

CASE 41K-0005-R-2022

41K 96248-00

41K 30155787

ORDER AMENDING AND ADOPTING MASTER'S REPORT

Pursuant to Montana Code Annotated, section 85-2-233(5), the above-entitled Case was assigned to Water Master Eugene C. White. The Water Master filed a Report containing Findings of Fact and Conclusions of Law on November 28, 2022. On December 5, 2022, Claimant LF Ranch MT, LLC objected to the Master's Report. The *Objection* states that while the modifications made to claim 41K 96248-00 were applied correctly, the *Stipulation* filed by the parties also request that an implied claim be generated for Montana State Board of Land Commissioners for 18 acres and a flow rate of 175 gpm. A proposed abstract for the implied claim, requesting the following changes to claim 41K 96248-00 was attached.

41K 30155787

Owners: LEF RANCH MT LLC
 PO BOX 6196
 DENVER, CO 80206-0196
 Montana, Board of Land Commissioners
 Trust Land Management Division
 PO Box 201601
 Helena, MT 59620-1601

Priority Date: JULY 28, 1960

Enforceable Priority Date: JULY 28, 1960

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER

Maximum Flow Rate: 4.34 CFS 175 gpm

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 62.00 18 acres

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	3.00	SE	SE	8	19N	7W	LEWIS AND CLARK
2	18.00		NESW	8	19N	7W	LEWIS AND CLARK
3	12.00	E2	SE	8	19N	7W	LEWIS AND CLARK
4	29.00		W2SE	8	19N	7W	LEWIS AND CLARK
Total:	18 62.00						

Therefore, an implied claim should be generated from claim 41K 96248-00 to reflect the above listed modifications.

The Court has reviewed the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the Master's Report with the above referenced amendments.

A Post Decree Abstract for implied claim 41K 30155787 is served with this Order to confirm that the Recommendations set forth in the Master's Report, as amended by this Order, have been adopted for the claims in this Case.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service Via Electronic Mail:

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Notice: Caption Updated 12.9.22

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 96248-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: LF RANCH MT LLC
PO BOX 6196
DENVER, CO 80206 0196

Priority Date: JULY 28, 1960

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Flow Rate: 427.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 44.00

Source Name: UNNAMED TRIBUTARY OF DUVAL CREEK (SMITH LAKE)

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENW	8	19N	7W	LEWIS AND CLARK

Period of Diversion: JULY 1 TO AUGUST 31

Diversion Means: PUMP

Period of Use: JULY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENW	8	19N	7W	LEWIS AND CLARK
2	29.00		E2SESW	8	19N	7W	LEWIS AND CLARK
3	12.00		W2SE	8	19N	7W	LEWIS AND CLARK
Total:	44.00						

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 30155787 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA STATE BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JULY 28, 1960

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER

Flow Rate: 175.00 GPM

Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 18.00

Source Name: UNNAMED TRIBUTARY OF DUVAL CREEK (SMITH LAKE)

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENW	8	19N	7W	LEWIS AND CLARK

Period of Diversion: JULY 1 TO AUGUST 31

Diversion Means: PUMP

Period of Use: JULY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	18.00		NESW	8	19N	7W	LEWIS AND CLARK

Total: 18.00